

Burns, Gordon M., District No. 5, Huntsville.

Collie, Wilbourne B., District No. 24, Eastland.

Cotten, Clay, District No. 6, Palestine.

Davis, E. M., District No. 25, Brownwood.

DeBerry, Tom, District No. 8, Bogata.

Duggan, Arthur P., District No. 30, Littlefield.

Fellbaum, Ernest, District No. 26, San Antonio.

Hill, Joe, District No. 2, Henderson.

Holbrook, T. J., District No. 17, Galveston.

Hopkins, W. K., District No. 19, Gonzales.

Hornsby, John W., District No. 20, Austin.

Hughston, Wallace, District No. 10, McKinney.

Martin, Will M., District No. 12, Hillsboro.

Moore, Weaver, District No. 16, Houston.

Neal, Jim, District No. 27, Mirando City.

Oneal, Ben G., District No. 23, Wichita Falls.

Pace, Will D., District No. 7, Tyler.

Poage, W. R., District No. 13, Waco.

Rawlings, Frank H., District No. 28, Fort Worth.

Redditt, John S., District No. 3, Lufkin.

Regan, K. M., District No. 29, Pecos.

Sanderford, Roy, District No. 21, Belton.

Shivers, Allan, District No. 4, Port Arthur.

Small, C. C., District No. 31, Amarillo.

Stone, Albert, District No. 14, Brenham.

Sulak, L. J., District No. 15, La Grange.

Van Zandt, Olan R., District No. 9, Tioga.

Westerfeld, Claud C., District No. 11, Dallas.

Woodruff, H. Grady, District No. 22, Decatur.

SECOND DAY.

Senate Chamber,
Austin, Texas,
January 9, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll call disclosed a quorum, the following Senators being present.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Fellbaum.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Hughston.	Westerfeld.
Martin.	Woodruff.

Absent—Excused.

Van Zandt.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Rawlings.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

Oath of Office.

The Chair, Lieutenant Governor Edgar E. Witt, administered the oath of office to Senator W. K. Hopkins of Gonzales.

Communication.

The Secretary read the following communication to the Senate:

Senate Chamber,
Austin, Texas, Jan. 9, 1935.

Governor Witt has been extremely kind and courteous to me in matters in connection with the coming Legislature and I want to publicly acknowledge his uniform courtesies and cooperative spirit and to thank him for same.

To the members of the Forty-fourth Senate I desire to say that

in creating these committees I have followed the policy in the past, and each member will find he is on several committees and some of the committees appear large in number. However, ten members will make a quorum on even the two largest committees, namely,—Finance and State Affairs, and it is my feeling that any important legislation coming out of these committees ought to be considered by at least that number of the Senate members before trying the legislation out on the Senate itself.

I want to say that in my opinion all of the chairmen of the committees of the Forty-third Legislature were outstanding chairmen and I would like to have reappointed each one of them to their old committees, but I do feel that we ought to pass these honors around and it is for that reason, and that alone, that I have changed up all of the committee chairmen. I think the chairmen that I have picked are all hard working men and men of ability and will see that the State's business is attended to.

I have tried to recognize the requests of the various members with respect to desired committee assignments. That is the reason why some of these committees are as large as they happen to be. Even at that I could not grant the requests of every member for appointment on some of the more sought-after committees.

WALTER F. WOODUL,
Lieut. Governor-Elect.

Senate Standing Committees.

The Chair announced the appointment of the following standing committees:

Civil Jurisprudence: Small, Chairman; Blackert, Vice-Chairman; Hopkins, Hornsby, Oneal, Rawlings, Redditt, Collie, Fellbaum, Davis, Hill, Moore, Shivers, Van Zandt, Westerfeld.

Criminal Jurisprudence: Stone, Chairman; Woodruff, Vice-Chairman; Collie, Fellbaum, Hopkins, Hornsby, Martin, Rawlings, Small, Cotten, Davis, Hill, Hughston, Van Zandt.

Constitutional Amendments: Blackert, Chairman; Moore, Vice-Chairman; DeBerry, Hopkins, Holbrook, Hornsby, Martin, Oneal, Rawlings, Hill, Sulak, Van Zandt.

Educational Affairs: Duggan, Chairman; DeBerry, Vice-Chairman; Hopkins, Hornsby, Pace, Poage, Regan, Small, Woodruff, Burns, Cotten, Neal.

Internal Improvements: Hughston, Chairman; Duggan, Vice-Chairman; Beck, Collie, Martin, Rawlings, Redditt, Burns, Shivers, Westerfeld.

Finance: Redditt, Chairman; Beck, Vice-Chairman; Duggan, Holbrook, Hopkins, Hornsby, Martin, Oneal, Poage, Rawlings, Regan, Sanderford, Small, Stone, Woodruff, Burns, Hill, Hughston, Neal, Van Zandt, Sulak.

Public Lands and Land Office: Regan, Chairman; Holbrook, Vice-Chairman; Hughston, Woodruff, Collie, Duggan, Small.

State Penitentiaries: Holbrook, Chairman, Burns, Vice-Chairman; Beck, DeBerry, Duggan, Hopkins, Pace, Rawlings, Redditt, Regan, Hill, Shivers, Sulak.

Public Health: Beck, Chairman; Sanderford, Vice-Chairman, Holbrook, Hornsby, Oneal, Rawlings, Redditt, Small, Woodruff, Davis, Hughston.

Military Affairs: Poage, Chairman; Woodruff, Vice-Chairman; Beck, Pace, Redditt, Sanderford, Davis, Moore.

State Affairs: Pace, Chairman; Rawlings, Vice-Chairman; Blackert, Collie, DeBerry, Fellbaum, Holbrook, Hopkins, Hornsby, Martin, Oneal, Regan, Redditt, Shivers, Small, Stone, Cotten, Hughston, Moore, Sulak.

Commerce and Manufacturing: Hill, Chairman; Westerfeld, Vice-Chairman; Blackert, Fellbaum, Holbrook, Hornsby, Poage, Redditt, Sulak.

State Highways and Motor Traffic: Hopkins, Chairman, Small, Vice-Chairman; Collie, DeBerry, Duggan, Fellbaum, Oneal, Pace, Rawlings, Redditt, Regan, Sanderford, Hornsby, Martin, Davis, Sulak.

Public Debts, Claims and Accounts: Davis, Chairman; Cotten, Vice-Chairman; Sanderford, Burns, Hill, Moore, Shivers.

Contingent Expenses: Woodruff, Chairman; Stone, Vice-Chairman; Beck, Martin Cotten, Neal, Shivers.

Federal Relations: Westerfeld, Chairman; Davis, Vice-Chairman; Blackert, Burns, Hill.

Counties and County Boundaries: Fellbaum, Chairman; Neal, Vice-Chairman; Duggan, Martin, Pace, Stone, Cotten, Davis, Van Zandt.

Public Printing: Sulak, Chairman; Fellbaum, Vice-Chairman; Duggan, Holbrook, Poage, Rawlings, Redditt, Stone.

Judicial Districts: Martin, Chairman; Van Zandt, Vice-Chairman; Collie, Fellbaum, Regan, Small, Hughston, Moore.

Stock and Stock Raising: Neal, Chairman, Oneal, Vice-Chairman; Blackert, Collie, Fellbaum, Poage, Rawlings, Stone.

Agricultural Affairs: DeBerry, Chairman, Sulak, Vice-Chairman; Small, Poage, Beck, Duggan, Stone, Van Zandt, Neal, Hill, Hughston.

State Institutions and Departments: Hornsby, Chairman; Martin, Vice-Chairman; Beck, DeBerry, Oneal, Pace, Redditt, Sanderford, Cotten, Davis, Neal.

Privileges and Elections: Van Zandt, Chairman; Poage, Vice-Chairman; Beck, Collie, DeBerry, Martin, Hughston, Neal, Shivers.

Public Buildings and Grounds: Burns, Chairman; Regan, Vice-Chairman; Beck, Blackert, Woodruff, Van Zandt, Westerfeld.

Rules: DeBerry, Chairman; Hornsby, Vice-Chairman; Hopkins, Martin, Pace, Poage, Redditt, Regan, Small.

Engrossed Bills: Davis, Chairman; Hill, Vice-Chairman; Van Zandt.

Enrolled Bills: Poage, Chairman; Burns, Vice-Chairman; Cotten, Westerfeld.

Insurance: Collie, Chairman; Hughston, Vice-Chairman; DeBerry, Holbrook, Pace, Poage, Rawlings, Woodruff, Cotten, Moore, Shivers, Sulak, Westerfeld.

Towns and City Corporations: Rawlings, Chairman; Redditt, Vice-Chairman; Collie, Martin, Poage, Sanderford, Stone, Westerfeld.

Mining, Irrigation and Drainage: Regan, Chairman; Hopkins, Vice-Chairman; Blackert, DeBerry, Holbrook, Small, Stone, Burns, Hill, Neal, Van Zandt.

Labor: Rawlings, Chairman; Shivers, Vice-Chairman; Small, Woodruff, Blackert, Fellbaum, Oneal, Poage, Sanderford, Cotten, Davis, Sulak, Westerfeld.

Nominations of the Governor: Oneal, Chairman; Blackert, Vice-Chairman; Beck, Martin, Pace, Sanderford, Woodruff, Burns, Hill, DeBerry.

Banking: Sanderford, Chairman; Collie, Vice-Chairman; Holbrook, Hopkins, Regan, Woodruff, Hornsby, Hughston, Westerfeld.

Congressional Districts: Cotten, Chairman; Hornsby, Vice-Chairman; Collie, Davis, Duggan, Hill, Holbrook, Hughston, Moore, Neal, Shivers, Sulak, Van Zandt, Westerfeld, Burns.

Senatorial Districts: Hornsby, Chairman; Hill, Vice-Chairman; Blackert, Duggan, Oneal, Pace, Regan, Sanderford, Cotten, Sulak.

Representative Districts: Moore, Chairman; Pace, Vice-Chairman; DeBerry, Fellbaum, Poage, Rawlings, Westerfeld, Neal.

Game and Fish: Shivers, Chairman; Holbrook, Vice-Chairman; Small, Cotten, Oneal, Pace, Redditt, Sulak.

S. C. R. No. 1.

Senator Hornsby sent up the following resolution:

Be It Resolved by the Senate of Texas, the House of Representatives concurring, That the President of the Senate appoint five Senators and the Speaker of the House of Representatives appoint five members of the House of Representatives to count the votes in the recent election for Governor and Lieutenant Governor, and to make all necessary arrangements for their inauguration.

HORNSBY.

Adopted by viva voce vote.

Committee to Count Votes.

The Chair announced the appointment of the following committee on Governor's inauguration:

Senators Hornsby, Oneal, Rawlings, Regan, and DeBerry.

S. C. R. No. 2.

Senator Woodruff sent up the following resolution:

Be It Resolved by the Senate of Texas, the House of Representatives concurring, That the joint rules of the Senate and House adopted by the Forty-third Legislature, be adopted as the joint rules of the Senate

and House of the Forty-fourth Legislature until amended or changed by action of both the Senate and the House.

WOODRUFF.

Read and unanimously adopted.

Senate Resolution No. 2.

Senator Woodruff sent up the following resolution:

Be It Resolved, That the Senate rules, adopted by the Forty-third Legislature, be and they are hereby adopted as temporary rules of the Forty-fourth Legislature now assembled, and that the rules thus temporarily adopted shall prevail until otherwise ordered by the Senate. Provided, however, that the procedure provided for in the Constitution with reference to the introduction and passage of bills shall prevail.

WOODRUFF.

Read and unanimously adopted.

Senate Resolution No. 3.

Senator Woodruff sent up the following resolution:

Be it Resolved, That a committee of three be appointed by the Lieutenant Governor to notify the House of Representatives that the Senate has completed its organization and that it is ready to transact business.

WOODRUFF.

Read and unanimously adopted.

Senate Resolution No. 4.

Senator Woodruff sent up the following resolution:

Be it Resolved, That a committee of three be appointed by the Lieutenant Governor to notify the Governor that the Senate has completed its organization and is ready to transact business.

WOODRUFF.

Read and unanimously adopted.

Notification Committee Appointed.

The Chair appointed the following committees to notify the Governor and the House that the Senate was organized and ready for business:

To notify the Governor: Senators Hill, Shivers, and Sulak.

To notify the House: Senators Burns, Moore, and Davis.

Notification Committee Report.

The committee to notify the Governor appeared at the bar of the

Senate and Senator Sulak reported that the committee had performed its duty.

S. J. R. No. 1.

Senator Holbrook sent up the following resolution:

A joint resolution proposing an amendment to the Constitution of the State of Texas, to be known as Section 51B; providing that the Legislature of said State may authorize the levying of a two per cent sales tax on all sales at retail of tangible personal property within the State, whether for cash or credit, made by those engaged in the business of selling such property at retail in due course of business. A two per cent sales tax for the purpose of liquidating the bonded indebtedness of the State, counties, municipalities and other political sub-divisions. And after the payment of said indebtedness allocating the funds arising out of such sales tax: one-half to the third class fund of the several counties of the State, and one-half to the available school fund of such counties. And for the necessary legislation as proposed in this amendment to carry out these purposes.

Read and referred to the Committee on Constitutional Amendments.

S. J. R. No. 2.

Senator Burns sent up the following resolution:

Proposing an amendment to Section 6 of Article XVI, of the Constitution of Texas providing for an old age relief system, and providing for the support and maintenance thereof; providing for the time and manner of submission thereof to the voters of the State of Texas as required by the Constitution; and making an appropriation therefor.

**BURNS,
DAVIS,
WESTERFELD.**

Read and referred to the Committee on Constitutional Amendments.

S. J. R. No. 3.

Senator Moore sent up the following resolution:

A resolution proposing an amendment to Article XVI of the Constitution of the State of Texas by striking out Section 20a to Section 20e, both inclusive; providing for a local option on the question of the sale of intoxicating liquors for beverage purposes; vesting in the Legislature the power to regulate the manufacture, sale, and traffic in intoxicating liquors; providing that intoxicating liquors shall not be manufactured, sold, bartered, or exchanged for beverage purposes in any county or political subdivision wherein the sale of intoxicating liquors had been prohibited by local option elections held under the laws in force at the time of the taking effect of Section 20, Article XVI of the Constitution of the State of Texas, until a majority of the qualified voters of such county or political subdivision shall determine such to be lawful at an election held for that purpose; providing for an election on the question of the adoption or rejection of such amendment and making an appropriation therefor; providing for the proclamation and publication thereof; and prescribing the form of ballot.

MOORE,
HOLBROOK,
BLACKERT,
HOPKINS,
SHIVERS.

Read and referred to the Committee on Constitutional Amendments.

Senate Resolution No. 5.

Senator Redditt sent up the following resolution:

Whereas, By an Act of the Legislature of this State, at the Second Called Session of the Forty-third Legislature, designated at Chapter 69 on page 164 of the General and Special Laws passed by said Second Called Session of the Forty-third Legislature, providing for the holding of the Texas Centennial celebration, or celebrations, in 1936, among other things made it the duty by Section 12 of said Act of the Centennial Commission at the Regular Session of the Forty-fourth Legislature to make a report in January, 1935, of all activities and progress made up to that time, and especially as to the location, character and general plans for the holding of the Exposition and Centennial, and,

Whereas, By Section 15 of said Act it is provided that for the purpose of inaugurating, furthering and carrying on the provisions of this Act the sum of One Hundred Thousand (\$100,000.00) Dollars was appropriated out of the General Funds of the State of Texas; and it being further provided that a detailed report shall be made by the committee to the Legislature, and that said report is to be audited in full by the State Auditor, or some certified public accountant designated by the State Auditor; said report to show in full and in detail the expenditures made out of said appropriation above stated; now, therefore, be it

Resolved by the Senate of the State of Texas in session that the Centennial Commission shall in all things comply fully and in detail with the duties imposed upon them with reference to making said reports to the Forty-fourth Legislature now in Regular Session and that, especially, said commission shall make a detailed report as to the expenditures of the appropriation of the \$100,000.00, as provided for in Section 15 of said Act.

REDDITT.

Read and referred to the Committee on Finance.

S. J. R. No. 4.

Senator Oneal sent up the following resolution:

Proposing an amendment to Article III of the Constitution of the State of Texas by adopting a new section to be known as Section 51-b, which shall provide that the Legislature shall have the power to cooperate with the United States of America in providing for and paying an old age pension to actual bona fide citizens of Texas over the age of sixty-five years who have not been convicted of a felony within ten years next prior to the granting of such pension and who have never been convicted of being an habitual criminal, and providing that an habitual drunkard shall not be eligible for such pension, and that the State of Texas shall never pay more than Fifteen (\$15.00) Dollars per month on any such pension, and shall never issue bonds to provide funds for the payment of such pension and shall never increase the maximum ad valorem tax rate as fixed by other provisions of the Constitution; provid-

ing for the submission of same to the qualified voters of the State; providing for the necessary proclamation and making an appropriation to defray the expenses of proclamation, publication and election.

ONEAL.

Read and referred to the Committee on Constitutional Amendments.

S. J. R. No. 5.

Senator Oneal sent up the following resolution:

Proposing an amendment to Article III of the Constitution of the State of Texas by adopting a new section to be known as Section 51-b, which shall provide that the Legislature shall have the power to provide for an old age pension and for the payment of same not to exceed Fifteen (\$15.00) Dollars per month for actual bona fide citizens of Texas who are over the age of sixty-five years and who have been actual residents of the State of Texas continuously for five years prior to their filing application for a pension, and who have not been convicted of a felony within ten years prior to their application and who have not, at any time, been convicted as an habitual criminal and providing that no person who is an habitual drunkard shall, while such habitual drunkard or within one year after being cured of such habit, be eligible to draw such pension and provided further that no inmate of any State institution shall be eligible for such pension while such inmate; providing that the Legislature shall have the power to classify persons for such pension and may provide different amounts for payments in different classes; providing the burden shall be upon the applicant to show that he is eligible for such pension; providing that this section shall not be construed to authorize the issuance of bonds or the increase of the maximum ad valorem tax rate as fixed by other provisions of the Constitution, and shall not be construed to authorize the enactment of any local bill; providing for the submission of same to the qualified voters of the State; providing for the necessary proclamation and making an appropriation to defray the expenses of proclamation, publication and election.

ONEAL.

Read and referred to the Committee on Constitutional Amendments.

S. C. R. No. 3.

Senator Redditt sent up the following resolution:

Whereas, The President of the United States called to extraordinary service in foreign fields to represent this country an illustrious native son of Texas; and,

Whereas, For the past two years this native son has rendered outstanding service as Minister to the country of Roumania, which service has been recognized internationally; and,

Whereas, This Minister has returned to Texas on a short visit, and this Legislature is now accorded an opportunity of being addressed by him; now, therefore, be it

Resolved by the Senate, the House concurring, that Colonel Alvin Owsley, United States Minister to Roumania, be and is hereby cordially invited to address the Legislature of Texas on Friday, the Eleventh day of January, A. D., 1935; be it further

Resolved that a joint session of the Senate and House of Representatives be called at ten o'clock a. m., on Friday, the Eleventh day of January, 1935, for the above purpose; be it further

Resolved that the Lieutenant Governor and Speaker of the House of Representatives be, and they are hereby authorized and directed to notify Colonel Owsley of this resolution.

REDDITT,
SANDERFORD.

Read and adopted.

Senate Resolution No. 6.

Senator Hopkins sent up the following resolution:

Whereas, A yellow headlined article entitled "Piping Hot" has recently appeared in "Collier's," a national weekly, in the issue dated January 12, 1935, on page 10, and said article and its many misstatements of fact and misrepresentations of conditions existing have received nationwide publicity and attention, focusing attention not only of Congress and of the National Administration, but people as a whole, upon Texas and its major industry;

Whereas, In the opening lines of said article the writer thereof charges the Senate of Texas with corruption and dishonesty by quoting an alleged Texan as follows: . . . "and when I found that I had to do it, I lined up sixteen State Senators at \$500 apiece to kill House Bill 99. And believe me, I never pay 'em until they deliver the goods." and

Whereas, Said article further brands not only a majority of the Senate of Texas as bribe takers, but further accuses the Vice-President of the United States, a native Texan, with the low art of double-crossing of his Chief, the President of the United States; brands a member of the United States Senate from Texas and the Texas member who presides over the committee of interstate and foreign commerce with political chicanery; alleges by inference that the incoming Governor of Texas has formed a political allegiance with the hot oil bandits now depredating upon our people; charges outright a State official upon whom is imposed the duty of enforcing our oil laws with having accepted, received and obtained in excess of a million dollars out of the administration of said laws; and

Whereas, the truthfulness and validity of the statements and conclusions drawn by the writer of said article are by him affirmatively attributed to the Hon. Harold L. Ickes, Secretary of the Interior of the United States, by the use of the following statement: ". . . As oil administrator, the Honorable Harold L. Ickes is angry. In discussing with this writer practically all of the conditions set forth in the foregoing article, he made it clear that he knows exactly where Texas stands. . . . He therefore concludes that, although it may sound well for Texas to talk about 'State's rights,' it none-the-less follows that before it insists upon what it terms its own sovereignty, it should learn to use it by enforcing its own laws. If it doesn't, some superior power will," and,

Whereas, This said article and the statements therein contained constitute a slander upon the people of this State and its public officials, and is a direct challenge to the Senate of Texas, the Hon. Harold L. Ickes, ignoring the fact that Texas stands solely and alone as the one State which came into the Union of its own volition, under private treaty, negotiated by the United States of

America with the Sovereign Republic of Texas and retained its public domain with the affirmative reservation that it, as a State, retained and maintained its right of self-government under the doctrine of "State's Rights," which is now being challenged and denied to it; now, therefore be it

Resolved, by the Senate of Texas in this, the first resolution of the Forty-fourth Session, That the Hon. Harold Ickes be respectfully requested to reply to this inquiry and be further respectfully invited in so replying by journeying to Texas and addressing this Senate; and, be it further

Resolved, That copies of this resolution be by the Secretary of the Senate immediately forwarded to the President of the United States, the Vice-President of the United States, the Speaker of the House of Representatives of the United States Congress and to the Hon. Harold L. Ickes, Secretary of the Interior.

HOPKINS.

Read.

Senator Hopkins asked unanimous consent that the rule requiring resolutions to be sent to a committee be suspended and S. R. No. 6 be taken up and considered at this time.

Senator Oneal asked for a second reading of the resolution.

Senator Hopkins moved that S. R. No. 6 be printed in the Journal and that it be taken up for consideration Thursday.

The motion prevailed by viva voce vote.

Senate Bill No. 1.

By Senator Westerfeld:

S. B. No. 1, A bill to be entitled "An Act making appropriation for the establishment, operation and maintenance of the Texas Centennial (including the Texas Centennial Central Exposition and other celebrations), for the period beginning February 1, 1935, and ending December 31, 1936; providing that this Act shall supplement the Act passed by the Second Called Session of the Forty-third Legislature creating the Texas Centennial Commission, and that this Act repeals such parts of said former Act as are in direct conflict with it; providing for centennial celebrations in Texas during 1936 at historical places to be determined by Texas Centennial Commission; defining "celebration," thereby indicat-

ing modes of such celebrations; creating Advisory Board of Texas Historians and appointing its three initial members; prescribing said board's duties and providing for filling vacancies in it and fixing its headquarters and providing for payment of its expenses; specifying factors which Texas Centennial Commission shall consider in deciding where celebrations shall be held, empowering Texas Centennial Commission with final decision as to such celebrations and expenditures therefor; allocating said appropriation in specific sums to the erection of buildings on Centennial Central Exposition site and to equipping such buildings and to celebrations at San Jacinto and the Alamo and other celebrations authorized by Texas Centennial Commission and to general administrative expenses and to a national advertising campaign, and directing the expenditure of such allocated sums; prohibiting the erection of permanent buildings costing in excess of \$50,000.00 each on lands not owned by the State of Texas; providing for erection of such buildings from such appropriation on the Centennial Central Exposition site in Dallas, and for free occupancy of such buildings during the central exposition by Texas Centennial Central Exposition, a corporation, and Texas Centennial Commission; leasing such buildings and their sites to City of Dallas for 99 years after central exposition terminates, specifying rental therefor and requiring use of such buildings during such lease for public purposes including annual State expositions, and providing that during such lease exhibit space therein and admission thereto shall be free; providing for insurance and maintenance of said buildings and payment therefor; providing for drawing of funds expended under this Act on warrants as provided by law; providing that if any section of this Act, or any provision thereof, be held invalid it shall not affect the remaining section or provisions; and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 2.

By Senator Holbrook:

S. B. No. 2, A bill to be entitled "An Act defining public utilities, and providing for their regulation; creating the Public Utilities Commission

of this State, and fixing their qualifications and compensation, and prescribing their duties and powers, and the manner in which the jurisdiction herein conferred shall be exercised; providing penalties for the violation of this Act, and for the repeal of all laws and parts of laws in conflict herewith."

Read and referred to the Committee on State Affairs.

Senate Bill No. 3.

By Senator Hill:

S. B. No. 3. A bill to be entitled "An Act repealing Chapter 10 of the laws of the Forty-third Legislature, First Called Session, being H. B. No. 12, pages 32-41 of the General and Special Laws of the Forty-third Legislature, First Called Session, and re-enacting Articles 645, 647, 648, 649, 650 and 651, of the Penal Code of the State of Texas, to prohibit the buying and selling of pools or receiving or making bets on horse racing, and to provide a penalty for its violation, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 4.

By Senators Neal and Westerfeld:

S. B. No. 4. A bill to be entitled "An Act authorizing municipalities, political subdivisions and taxing districts to proceed under the provisions of Federal Bankruptcy Laws enacted for the relief of such municipalities, political subdivisions and taxing districts; and declaring an emergency."

Read and referred to the Committee on Town and City Corporations.

Senate Bill No. 5.

By Senator Poage:

S. B. No. 5, A bill to be entitled "An Act relating to the licensing of motor vehicle operators and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways, providing for issuance of licenses, revocation of operator's and chauffeur's licenses under certain conditions, forbidding driving by persons without licenses, providing penalties, defining terms and providing for cer-

tain exemptions, enacting other provisions necessary and incidental to the subject of the Act, and declaring an emergency."

Read and referred to the Committee on State Highways and Motor Traffic.

Senate Bill No. 6.

By Senator Poage:

S. B. No. 6, A bill to be entitled "An Act regulating the introduction of testimony in any case where a petitioner seeks an injunction to enjoin the enforcement of rates fixed by any rate-seeking body empowered by the laws of this State to fix the particular rate complained of, said Act to be known as Article 4663-a of the Revised Civil Statutes of Texas 1925; repealing all laws and parts of laws in conflict with the provisions of this Act; and declaring an emergency."

Read and referred to the Committee on Municipal Corporations.

Senate Bill No. 7.

By Senator Redditt:

S. B. No. 7, A bill to be entitled "An Act making an appropriation of the sum of Five Hundred Thousand Dollars (\$500,000.00), or so much thereof as may be necessary out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Forty-fourth Legislature, and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 8.

By Senator Redditt:

S. B. No. 8, A bill to be entitled "An Act creating a Court of Claims of the State of Texas, fixing jurisdiction of said court, authorizing the appointment of judges thereof, fixing their terms of office and salaries, and providing the duties of said judges; fixing the term of said court, and authorizing said court to promulgate its own rules and regulations for the conduct of its said business; authorizing the appointment of a clerk and reporter of said court; fixing the salary and duties of said clerk and

reporter; and providing that the Legislature of Texas shall have no authority to make any appropriations to pay any claims against the State of Texas until and unless said claim shall have been approved by said Court of Claims or by a court of appellate jurisdiction as provided for herein; and further authorizing the allowance or rejection of said claim by the Legislature and making appropriations therefor; and making appropriations for the maintenance of said court for the balance of the fiscal year, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 9.

By Senator Redditt:

S. B. No. 9, A bill to be entitled "An Act making more adequate provision for the giving of surety bonds, or in lieu thereof, the depositing of securities in connection with all contracts with the State of Texas, or any of its counties, school districts, or other subdivisions of the State, or any municipality therein, or any incorporated body politic of the State of Texas, referred to in this Act as the Owner, for the construction or repair of any public building or the prosecution and completion of any public work; prescribing that said bonds shall contain certain terms, provisions and conditions and defining certain rights, duties, obligations and liabilities arising under such bonds; providing the method of filing and enforcing claims under said bond; limiting the time for the filing of claims, the giving of notice and filing of suit by those claiming the benefit of said bond; providing for service of process in such suit and fixing the venue thereof; providing that certain beneficiaries of the bond shall be entitled to recover certain interest and certain attorney's fees under certain conditions; providing certain additional rights in the event the surety either voluntarily or at the demand of the owner procures any reinsurance, coinsurance or indemnity against financial loss by reason of the obligations assumed by the surety in executing said bond; defining certain rights arising under such contracts of reinsurance, coinsurance or indemnity; setting forth the form of the bond

required by this Act; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 10.

By Senator Redditt:

S. B. No. 10, A bill to be entitled "An Act defining and regulating the practice of dentistry in the State of Texas; providing for the creation of the State Board of Dental Examiners and prescribing their powers and duties; providing for the examination and licensing of dentists and the recording of licenses issued to dentists and for the annual registration of licensed dentists; providing grounds upon which such licenses may be suspended or revoked and the procedure to be followed in suspending or revoking same; providing civil and criminal remedies and penalties for the enforcement of the laws regulating the practice of dentistry and to prevent the unlawful practice of dentistry; defining certain unlawful acts and practices taking place in connection with the practice of dentistry and prescribing penalties therefor; and amending Article 4543, 4544, 4545, 4546, 4549, 4551, of the Revised Civil Statutes of 1925; also amending Chapter 9, Title 71, Revised Civil Statutes of 1925, by adding Article 4544a immediately after Article 4544 as amended herein, and by adding Article 4549a immediately after Article 4549 as amended herein and by adding Article 4550a immediately after Article 4550, and by adding Article 4551a immediately after Article 4551 as herein amended; and amending Articles 747, 749, 750, 752, 754 of the Penal Code of 1925; and also amending Chapter 7, Title 12, of the Penal Code of 1925 by adding Article 751a immediately after Article 751, and by adding Article 752a immediately after Article 752 as amended herein, and by adding Article 754a immediately after Article 754 as amended herein; and declaring certain legislative intent in respect of this Act; and declaring an emergency."

Read and referred to the Committee on Public Health.

Senate Bill No. 11.

By Senators Duggan, Woodruff and Holbrook:

S. B. No. 11, A bill to be entitled "An Act amending Title 76, Revised Civil Statutes of 1925 by adding a

new section thereto to be known as Article 4670a, making it mandatory on all courts of record in which petitions for injunction may be filed and in which injunctions have been granted to advance such injunction hearings to the first place on the docket of such court and requiring a final determination of such injunction before disposing of any other business then pending before such court; providing that no injunction against the enforcement of any revenue law in this State shall be granted until such person applying for such injunction shall have paid to the clerk of the court the amount of taxes then due and providing for the continuance of such injunction only for such period of time as said applicant shall continue to pay in to the clerk of the court the amount of taxes due and involved in such litigation until such suit has been finally disposed of by the court of last resort and providing that no person shall benefit by any injunction other than the person applying therefor and making said injunction inapplicable as to any officers except as such officers may act with reference to said applicant and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 12.

By Senator Oneal:

S. B. No. 12, A bill to be entitled "An Act creating a cause of legal action against a man for support of his wife or minor child; defining the same; giving remedies; providing a jurisdiction and procedure; declaring the remedies here given to be cumulative of others; repealing all laws in conflict therewith, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 13.

By Senator Oneal:

S. B. No. 13, A bill to be entitled "An Act regulating petitions in suits for divorce to require such petitions to state whether there are children under sixteen years of age, and if so, to give full information as to such minors, making it the duty of the courts having jurisdiction of such suits to inquire into the status of such children, if divorce be granted; empowering such courts to make

orders and decrees for their support and maintenance until they reach sixteen years of age; to determine and fix the amounts to be paid, the time of payment, to whom to be made, to have authority to enforce all decrees by contempt proceedings, and to have control of such decrees, to alter them when justice requires, to ascertain the ability to pay, to enforce the duty of a father to support his children after divorce, presenting the procedure, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 14.

By Senator Regan:

S. B. No. 14, A bill to be entitled "An Act to amend Article 5357, Revised Civil Statutes of 1925, providing for the issuance of leases on public areas; and Article 5362, Revised Civil Statutes of 1925, providing for the assignment of such leases; and declaring an emergency."

Read and referred to the Committee on Public Lands and Land Office.

Senate Bill No. 15.

By Senator Rawlings:

S. B. No. 15, A bill to be entitled "An Act amending Article 3369, Revised Civil Statutes, 1925, as amended by an Act of the Forty-third Legislature, Third Called Session, approved September 26, 1934, so as to harmonize same with Article 3326 and make it clear that letters testamentary under a domestic or foreign will shall not be issued after four years from death of testator except in a case where application for probate and for letters was filed in same court within the four-year period aforesaid and actual probate thereof was delayed, without fault or negligence of applicant, until after expiration of such period; and repealing all laws and parts of laws in conflict; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 16.

By Senator Duggan:

S. B. No. 16, A bill to be entitled "An Act to create the O. K. Independent School District No. 6, in Dawson County, Texas, out of territory now comprising Common School District No. 6, of Dawson County, as heretofore created by the county board of trustees therefor; vesting

said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts, incorporated under the General Laws of Texas; providing that the said O. K. Independent School District No. 6 shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 6, of Dawson County; providing that title to any and all property of said common school district shall be vested in the trustees of independent school district hereby created; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected and qualified in accordance with the General Laws of Texas, and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

Messages From the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Austin, Texas, January 8, 1935.

To the Forty-fourth Legislature in Regular Session, 1935:

As Governor of the State, discharging my duties to advise you upon the condition of the State, I congratulate you upon the convening of your body. Coming together as representatives fresh from the people, I felicitate you upon your opportunity to render service to your State. I am sure that the first ambition in your minds will be to give your patriotic cooperation to President Roosevelt and the National Government in solving the many serious problems with which you will be compelled to consider. In the entire history of our Nation perhaps no president has ever had to deal with more gigantic and serious matters than our incomparable President who now sits in the White House; but his task has only in part been yet realized and it will require the unified help and desire of every state in the Union and every legislature of the states to bring about the final achievement of those reforms necessary to finally result in national recovery to the extent of prosperity of our people. It certainly is an ambitious pride on the part

of your membership that you have been chosen by the people as their public servant in this hour of need to represent them in legislative deliberations. I bespeak for you, as truly representative of the people of our State, a sacred desire to uphold the President of these United States and the National Congress in the great program to again bring about peace and happiness to our people. Conditions are yet so unsettled and uncertain that it will take a strong pull, a long pull, and a pull all together if success is to crown our efforts.

Under date of December 17, 1934, I received from His Excellency Franklin D. Roosevelt, President of the United States, a communication calling attention to the necessity in most of the States for certain legislation to make Titles II and III of the National Housing Act more effective. The President also calls attention to the bill passed by the Legislature of the State of New York in Special Session last August and indicated that bill seemed to meet the general needs. At his request I am calling this matter to your attention for favorable consideration.

General Revenue Fund.....	\$ 9,377,619.75
Available School Fund.....	7,704,000.00
Confederate Pension Fund.....	3,826,259.07

Making a total deficiency of.....	\$20,907,878.82	\$20,907,878.82
(Nearly \$21,000,000.00 in the red)		

The estimated deficits made by the Comptroller on the school fund and by the State Auditor on the General Revenue and Pension Funds on Au-

General Revenue Fund.....	\$ 9,443,822.89
Available School Fund.....	703,576.02
Confederate Pension Fund.....	5,181,783.83

Total deficit.....	\$15,329,182.74	\$15,329,182.74
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or a net reduction in deficits by present administration of \$ 5,578,696.08

In addition to this net reduction, this administration has paid or made provision to pay certain indebtedness of the State hereinafter mentioned.

As the deficit will be over \$15,000,000.00 at the end of this fiscal year, it is but fair to say that if this administration had not cut ap-

In response to a request from the National Planning Board and following the example of other progressive states, on May 21, 1934, I appointed a Texas Planning Board which board now consists of eleven members. Many of the states have enacted legislation creating permanent planning boards and I call this matter to your attention for your earnest consideration.

In the next place, let me, as the chief budget officer of the State, call your attention to the budget of public expenditure prepared by the State Board of Control showing the needs of the State, which budget I, in the main, adopt and approve. The same is submitted for your necessary consideration.

Let me call your attention to the financial condition of the State. This administration in pursuance of a platform promise to the people reduced appropriations by the Legislature in the round sum of \$15,000,000.00 and at the end of the fiscal year of the former administration the deficits inherited by this administration in the different funds were as follows:

gust 31, 1935, which will be the end of the fiscal year of this administration will be:

proprations \$15,000,000.00 there would have been now a deficiency in round numbers of \$30,000,000.00. Taking into consideration the additional items paid by this administration in addition to reduction in deficit of three funds, we could make a statement of savings as follows:

Net reduction in deficit in three funds above mentioned	\$ 5,578,696.08
Provision for interest and sinking funds for relief bonds for 1935 and 1936.....	3,092,064.25
Including 3½ million not yet authorized.	

Provision for payment of interest on old State bonds issued years ago before this administration took office.....	401,000.00
Provision for payment of Pink Boll Worm expense incurred before this administration took office.....	500,000.00
Provision to pay National Guard Service in East Texas by former administration.....	200,000.00
Provision for building and equipment for wards of the State.....	505,000.00
<hr/>	
Total actual savings in cost of operating the government by this administration of	\$10,276,760.33

From these figures it is apparent that if the incoming administration fails to hold appropriations down to a similar level of the outgoing administration that the deficiency will be increased proportionately. If an attempt is made to increase appropriations in the way of salaries and other expenses of the government, then it must be done with a full knowledge that the obligations of the State will be increased and the taxes must be increased in like proportion. Let me call attention to the fact here that in view of the deficiency in the various funds of the State now, the debts of the State can not be paid without exceeding the constitutional rate now permitted by the Constitution to support the various funds. Even if present ad valorem values were maintained and the people were able to pay their taxes promptly, the receipts would not be sufficient to take care of the obligations of the State within the constitutional limits.

At the very outset of your deliberations you are confronted with the proposition of new or additional taxes and the source from which they are to be derived. In the first place, I am sure you are aware that ad valorem taxes must be reduced. The value of all real estate has now been undermined and at least greatly impaired by the amount of ad valorem taxes now levied and collected. In addition to this, the homestead exemption of \$3,000.00 for taxation has created a necessity for additional revenues from other sources and the sums no longer collected from homesteads will call for a collection of taxes from other sources.

In view of these facts, your body is confronted with the serious question of taxation remedy, and the perplexing question of how to pay the expense of the government in its desire to take care of its wards, pay its

pensioners, and carry on the schools will be one of the serious questions for you to determine. No doubt you will have all sorts of remedies and plans suggested and due respect ought to be given to the ideas of various members of your body because more than ever now it is a question of "In a multitude of counsel there is much wisdom."

I have given the matter much thought and as I retire from office I feel that as we have labored together in the past in a spirit of friendliness and cooperation, I am justified in recommending to you ways and means whereby you may accomplish the proper administration of the government in a way less hurtful to the taxpayer than any other plan which I have heard suggested. I am not unmindful that the plan which I suggest may receive serious opposition and criticism from many sources and I shall not feel offended at any respectful criticism of my idea, but our condition is so imperative at this time that I feel like those who shall take upon themselves the idea of criticism and objection that they be prepared to propose some other plan better and more practical than my plan before continued persistence in objection and opposition. What the people need now is not objection and obstruction, but affirmative relief.

In the first place, I would levy a general sales tax of not exceeding two per cent upon commercial purchases to take care of all needs of the State. From the best estimates available this tax would pay all expenses of the State government and relieve all real estate of ad valorem taxes. The only ad valorem taxes remaining would be that collected by counties and other subdivisions of the State. This tax, it occurs to me, is fair and equitable. In the first place, it would require every citizen who is

able to pay to do his or her part for the support of the government. In the second place, the tax would be collected in proportion to the ability of the tax payer to pay. The present system has broken down. The very existence of our government is imperiled by the old plan of ad valorem taxes which can't be paid.

If it be urged that a sales tax will fall heavily on the poor, let me say that by this plan we can keep the schools upon a full \$16.50 apportionment and taxes would be collected in proportion only as the family purchases would require. If a family purchased during the year \$200.00 of merchandise, the tax would be four dollars. If they purchased \$500.00 in merchandise, the tax would only be ten dollars and in return for this the State would hand back to each child \$16.50 for school services and an average of \$2.50 in free text books for each child in the family. Whereas, if something like this is not done, the school apportionment must be cut to a point that will greatly impair the efficiency and benefits of our present school arrangement. This tax will yield at least \$30,000,000.00 a year and it will decrease present taxes in a like sum. The law can specially provide that this tax shall not be an additional tax but shall be in lieu of all other State taxes. I hope your body will study this question from the standpoint of merit and needs of the State and let no other influence, political or personal, deter you from giving serious consideration to the merits of the proposition.

Again, in order that the present burdens of ad valorem and school taxes might be relieved, I am in favor of a tax on intoxicating liquor. I understand that the first question you will raise is that that matter will have to be first submitted to a vote of the people and many will seek to evade political responsibility on this question by an attempt to lull everybody to sleep by submitting the question to the people. I have no objection to the matter being submitted to the people, but what the people want is relief now from their over-burdened tax obligations. It is admitted now that this tax would produce \$5,000,000.00 a year and if we wait until the Legislature submits the question and then wait until the next Legislature meets two years

from now and then spend the greater part of another year in determining what law will be passed it will be three years before any revenue can be obtained from that source and in the meantime the bootlegger will have profited by escaping taxation \$15,000,000.00 in the three years—enough money to pay the present deficiency.

I used to be a prohibitionist but my faith in the proposition has been much shaken by the attempts to enforce the noble experiment. It seems to me now the question is no longer one of prohibition or anti-prohibition but it is simply a question of whether we will have legal liquor with taxes or bootleg liquor without taxes.

Fortunately, the present prohibition constitutional amendment provides for its own execution and destruction. See Constitution, Section 20 (c and d) Article 16. It says in substance that this amendment is self enacting and until the Legislature shall pass additional penalties and laws that the punishment provided for in the constitutional amendment shall be enforced. By authority of this provision the Legislature passed what is known as the Dean Law, and thereby the terms of the constitutional provisions ended and all penalties provided thereunder, and the constitutional provision is no longer in force and it can not be revived.

The Legislature can now repeal the Dean Law and provide a fine or a penalty equal to what the reasonable tax would be for a license to sell intoxicating liquors and accompany such provisions with all the necessary laws to properly control and regulate the sale of intoxicating liquor. The Legislature could provide that the payment of one fine or penalty each year would be a defense to any other prosecution during the current year. If anybody says that this would be a subterfuge, let me deny same and urge that it would be according to law made and provided, written and passed by the prohibitionists themselves and put in the organic law of the State. I do not recall any other constitutional amendment ever passed anywhere that provided for its own execution and destruction. It would appear that perhaps there was an unseen providence that was provided and

retained by the Legislature to relieve the people from the most stupendous failure of any law that was ever passed.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, Jan. 8, 1935.
To the Texas State Senate:

I ask the advice, consent and confirmation by the Senate in the following appointments:

To be members of the State Board of Education for the next ensuing statutory term:

Honorable James G. Strong of Panola County, Texas.

Honorable Ben F. Tisinger of Dallas County, Texas.

Honorable John W. Laird of Angelina County, Texas.

To be District Attorney for the 20th Judicial District:

Honorable Emory B. Camp of Milam County, to fill the unexpired term of W. A. Morrison, resigned.

To be Presiding Judge of the First Administrative Judicial District of Texas:

Honorable Claude M. McCallum of Dallas County to fill the unexpired term of Judge Rueben A. Hall, resigned.

To be Judge of the 96th Judicial District of Texas:

Honorable A. J. Power of Tarrant County, Texas, to fill the unexpired term of Judge Marvin H. Brown, resigned.

To be Judge of the 71st Judicial District of Texas:

Honorable W. H. Strength of Harrison County to fill the unexpired term of Judge Reuben A. Hall, resigned.

To be Chairman of the Texas Racing Commission:

Honorable Guy L. Waggoner of Tarrant County for the next ensuing statutory term.

To be a member of the Board of Regents of State Teachers Colleges for the next ensuing statutory term:

Honorable J. E. Josey of Harris County, Texas.

To be Judge of the 13th Judicial District of Texas:

Honorable J. S. Callicutt of Navarro County to fill the unexpired

term of Judge Hawkins Scarborough, deceased.

To be a member of the Board of Regents of the University of Texas: Mrs. I. D. Fairchild of Angelina County to fill the unexpired term of Honorable L. J. Sulak, a member of the Texas State Senate.

To be District Attorney for the 32nd Judicial District of Texas:

Honorable George W. Outlaw of Nolan County to fill the unexpired term of George H. Mahon, resigned.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Read and referred to the Committee on Governor's Nominations.

Senate Bill No. 7.

The Chair laid before the Senate S. B. No. 7.

A bill making an appropriation to pay the contingent expenses and to pay the mileage and per diem of members and per diem of officers and employees of the Regular Session of the Forty-fourth Legislature.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 7 was put on its second reading by the following vote:

Yeas—30.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Fellbaum.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Hughston.	Westerfeld.
Martin.	Woodruff.

Absent—Excused.

Van Zandt.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Redditt the

constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 7 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Fellbaum.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Hughston.	Westerfeld.
Martin.	Woodruff.

Absent—Excused.

Van Zandt.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Fellbaum.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Hughston.	Westerfeld.
Martin.	Woodruff.

Absent—Excused.

Van Zandt.

Adjournment.

On motion of Senator Holbrook the Senate at 12 o'clock noon adjourned until 10 o'clock a. m. Thursday.

APPENDIX.

Committee Report.

Committee Room,
Austin, Texas, Jan. 9, 1935.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 7, making an appropriation to pay the contingent expenses, and to pay the mileage and per diem

of members and per diem of officers and employees, of the Regular Session of the Forty-fourth Legislature,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

THIRD DAY.

Senate Chamber,
Austin, Texas,
January 10, 1935.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.
Moore.	

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Stone.

Petitions and Memorials.

(See Appendix.)

Bills and Resolutions.

Oath of Office.

The Chair administered the oath of office to Senator Olan R. Van Zandt, the newly elected Senator from the Ninth District.

S. J. R. No. 6.

Senator DeBerry sent up the following resolution:

S. J. R. No. 6. A Joint Resolution proposing an amendment to the Constitution of the State of Texas by adding to Article XVI another section, Section 61, providing for abolishing the fee method of compensating all district officers of this State and county officers in counties of this State having a population of twenty thousand (20,000) or more,